



Firm Profile

Girard Gibbs is a national litigation firm representing plaintiffs in complex litigation throughout the country. We have achieved landmark recoveries in high-stakes cases involving data breach and privacy, securities fraud, false advertising, personal injuries, and employment law violations.

Our attorneys have earned a reputation for innovative strategies and relentless efforts to advance plaintiffs' rights. We simplify complex issues, pursue innovative legal theories, work cooperatively with other firms, and outwork and outlast well-funded defense teams.

Premier Attorneys with a National Reputation

The firm's attorneys are widely recognized for the quality of their work:

- Tier 1 Best Firms in mass tort & class action litigation, *U.S. News & World Report*, 2012-17
- Consumer Protection MVP, *Law360*, 2016 (Eric Gibbs) (sole plaintiffs' lawyer recognized)
- Top Cybersecurity/ Privacy Attorneys Under 40, *Law360 Rising Stars*, 2017 (Andre Mura)
- Top Consumer Protection Attorneys Under 40, *Law360 Rising Stars*, 2017 (David Stein)
- Member, U.S. Judicial Conference Committee on Civil Rules, 2004-10 (Daniel Girard)
- Top 30 Plaintiff Lawyers in California, *Daily Journal*, 2016 (Eric Gibbs)
- Co-chair Consumer Privacy & Data Breach Litig. Group, Am. Assoc. for Justice (Eric Gibbs)
- California Lawyer's Attorney of the Year Award, 2016 (Jordan Elias)
- Top 40 Lawyers in California Under 40, *Daily Journal*, 2017 (David Stein)
- Members, American Law Institute (Daniel Girard, Jordan Elias)
- AV-Preeminent, *Martindale-Hubbell* (Eric Gibbs, Daniel Girard, & A.J. de Bartolomeo)

Recognition from the Courts

"I've always found them to be **extraordinary** counsel in terms of their preparation and their professionalism."

- Honorable David Herndon, U.S. District Court, Northern District of Illinois

"The attorneys who handled the case were **particularly skilled** by virtue of their ability and experience."

- Honorable Dickinson Debevoise, U.S. District Court, District of New Jersey

"It's always a **pleasure** when such experienced attorneys put together this kind of a settlement. You make my job easy, and I really appreciate that."

- Honorable Beth Freeman, U.S. District Court, Northern District of California

"The Court has been **extremely impressed** with the conduct, skill, and accomplishment of class counsel throughout this litigation."

- Honorable Royal Furgeson, U.S. District Court, Northern District of Texas

"They are experienced and knowledgeable counsel and have **significant breadth of experience** in terms of consumer class actions."

- Honorable Ronald Sabraw, Alameda County Superior Court

Expertise in Data Breach & Privacy Litigation

Sampling of Current Cases

In re Vizio Inc., Consumer Privacy Litig. (C.D. Cal.) Appointed Co-Lead Counsel in 2016 after attorneys from across the country applied. We represent consumers alleging Vizio Smart TVs are equipped with content recognition software that collected and then sold consumers' viewing histories to third parties. We defeated two motions to dismiss and a motion for interlocutory appeal.

In re Experian Data Breach Litig. (C.D. Cal.) In this litigation against one of the major credit reporting companies, Plaintiffs allege their personal data, including social security numbers, was stolen from an Experian server. The case is past the pleadings and into discovery.

In re Banner Health Data Breach Litig. (D. Az.) The firm serves on the court-appointed four-firm team representing doctors, patients, insureds, and others whose health and private information was hacked in a 2016 breach. We recently defeated much of the motion to dismiss.

In re Lenovo Adware Litig. (N.D. Cal.) As Co-Lead Counsel in this ongoing privacy multidistrict litigation, our attorneys represent purchasers of Lenovo computers that came with preinstalled spyware. We recently certified a nationwide class as well as a California subclass.

Fero v. Excellus Health Plan (W.D.N.Y.) Eric Gibbs serves on the two-member executive committee, representing health plan members whose insurance data was hacked. We opposed the motion to dismiss, and several claims have been allowed to proceed.

Track Record of Success

In re Anthem Data Breach Privacy Litig. (N.D. Cal.) One of four court-appointed attorneys in this nationwide class action stemming from the largest healthcare data breach in history, affecting approximately 80 million people. The parties recently announced a proposed \$115 million cash settlement (which was preliminarily approved and is now pending final approval). The settlement is poised to be easily the largest in history stemming from a data breach.

In re Home Depot Customer Data Security Breach Litig. (N.D. Ga.) As a member of the steering committee in this data breach case, Girard Gibbs helped achieve a settlement that provided a multi-million dollar cash fund, identity theft protection, and injunctive relief.

In re Adobe Systems Inc. Privacy Litig. (N.D. Cal.) As sole Lead Counsel, we reversed a long line of decisions adverse to data breach victims. We then negotiated a comprehensive reform of Adobe's data security practices. The court's landmark decision on Article III standing in this case marked a sea change and has been cited favorably in dozens of cases since it was issued.

In re Target Corp. Customer Data Security Breach Litigation (D. Minn.) As a member of the consumer steering committee, Girard Gibbs represented Target customers whose data was compromised in the Target data breach. The multidistrict litigation ultimately resolved with a \$10 million dollar compensation for affected consumers.

Corona v. Sony Pictures Entertainment (C.D. Cal.) Girard Gibbs attorneys served as Co-Lead Counsel on behalf of current and former Sony Pictures employees affected by the 2014 data breach. We negotiated a settlement that provided meaningful monetary and injunctive relief.

Whitaker v. Health Net of Cal. (E.D. Cal.) As Co-Lead Counsel in this early healthcare data breach case, our attorneys helped withstand dispositive motion practice and then negotiated a favorable settlement for monetary and injunctive relief.

Smith v. Regents of the Univ. of Calif., S.F. (Cal. Super. Ct.) As Class Counsel in this litigation regarding disclosed medical records, the Court issued the first ruling certifying a litigation class under California's Confidentiality of Medical Information Act. Approving the settlement, the court said we had "achieved a substantial benefit to the entire class and the public at large."

Our Broader History of Success on Behalf of Plaintiffs

The success we have achieved in class litigation goes well beyond the data breach context:

- *In re Lehman Brothers Securities & ERISA Litig.* (S.D.N.Y.). Girard Gibbs served as one of four firms charged with managing the litigation, which recovered over \$700 million.
- *In re Natural Gas Antitrust Cases* (Cal. Super. Ct.). Girard Gibbs attorneys served in a leadership capacity against numerous natural gas companies for manipulating the California natural gas market, and achieved settlements of nearly \$160 million.
- *In re Hyundai & Kia Horsepower Litig.* (Cal. Super. Ct.). We represented drivers in a nationwide action over false horsepower ratings; settlement valued at up to \$125 million.
- *In re Chase Bank USA, N.A. "Check Loan" Contract Litig.* (N.D. Cal.). We helped lead multidistrict litigation alleging unlawful lending practices; \$100 million settlement.
- *In re Peregrine Fin. Grp. Litig.* (N.D. Ill.). As Co-Lead Counsel for futures investors following the collapse of Peregrine, we helped generate settlements worth over \$75 million.
- *In re Provident Credit Card Cases* (Cal. Super. Ct.). This nationwide class action challenging the unlawful marketing of credit cards led to a \$105 million settlement, plus injunctive relief.
- *Billitteri v. Secs. Am.* (N.D. Tex.). Lead Counsel for investors; coordinated negotiations with bankruptcy trustees and competing groups, resulting in global \$150 million settlement.
- *In re MCI Non-Subscriber Telephone Rates Litig.* (S.D. Ill.). Girard Gibbs served as Co-Lead Counsel in ten consolidated class actions and secured a \$90 million cash settlement.
- *Beaver v. Tarsadia Hotels* (S.D. Cal.). Our attorneys served as Co-Lead Counsel for buyers of Hard Rock Hotel condominiums in this class action against real estate developers concerning unfair competition claims. The lawsuit recently settled for \$51.15 million.